



1FW

1653

Dkt. 0575/67489-PCT-US/JPW/LL

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Stephen P. Goff and Guangxia Gao  
U.S. Serial No. : 10/568,396  
Filed : August 31, 2006  
For : ZAP PROTEIN AND RELATED COMPOSITIONS  
AND METHODS

1185 Avenue Of The Americas  
New York, New York 10036  
April 9, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop Missing Parts

Sir:

**COMMUNICATION TO CORRECT ERROR IN FILING RECEIPT**

This Communication is filed to request the issuance of a corrected Filing Receipt in connection with the above-identified application. Upon receipt of the official Filing Receipt for the subject application, a copy of which is attached hereto as **Exhibit A**, applicants' undersigned attorney noticed an error.

Specifically, the Applicant data is listed incorrectly.

A corrected filing receipt should read as follows:

--Applicant(s)

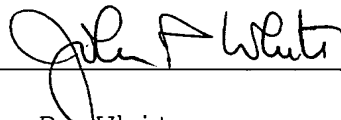
Stephen P. Goff, Tenafly, NJ;  
**Guangxia Gao**, Beijing, CHINA--

Applicants contend that the correct data may be found in the signed Declaration and Power of Attorney, filed on August 31, 2006 in connection with the subject application. A copy of the Declaration and Power of Attorney is attached hereto as **Exhibit B**. Accordingly, applicants request that a corrected Filing Receipt be issued.

Applicants: Stephen P. Goff and Guangxia Gao  
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Filed: April 9, 2007  
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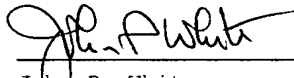
No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop Missing Parts



April 9, 2007

John P. White  
Reg. No. 28,678

Date

# EXHIBIT A



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/568,396	08/31/2006	1653	365	67489-PCT-US/JPW/JW	6	20	3

23432  
 COOPER & DUNHAM, LLP  
 1185 AVENUE OF THE AMERICAS  
 NEW YORK, NY 10036

CONFIRMATION NO. 6298

## FILING RECEIPT



\*OC000000020928362\*

Date Mailed: 10/23/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Stephen P. Goff, Tenafly, NJ;  
 Guanxia Gao, Beijing, CHINA;

**Power of Attorney:** The patent practitioners associated with Customer Number 23432.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/26162 08/12/2004  
 which claims benefit of 60/494,764 08/13/2003

## Foreign Applications

If Required, Foreign Filing License Granted: 10/20/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/568,396**

Projected Publication Date: 02/01/2007

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Zap protein and related compositions and methods

**Preliminary Class**

435

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

# EXHIBIT B

**DECLARATION AND POWER OF ATTORNEY**

*As a below-named inventor, I hereby declare that:*

*My residence, post office address, and citizenship are as stated below next to my name.*

*I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:*

**ZAP PROTEIN AND RELATED COMPOSITIONS AND METHODS**

*the specification of which:  
(check one)*

       *is attached hereto.*

X *was filed as §371 national stage of PCT/US2004/026162, filed*  
August 12, 2004 *as*

*Application Serial No.* 10/568,396

*and was amended, on* February 13, 2006  
*(if applicable)*

*I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.*

*I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.*

*I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:*

**Prior Foreign Application(s)****Priority Claimed**

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Yes</u>	<u>No</u>
PCT/US2004/026162	PCT	August 12, 2004	<u>X</u>	<u>      </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>      </u>	<u>      </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>      </u>	<u>      </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>      </u>	<u>      </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>      </u>	<u>      </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>      </u>	<u>      </u>

*Revised 09/02/04*

Applicants: Stephen P. Goff and Guangxia Gao  
U.S. Serial No.: 10/568,396  
Filed: as §371 national stage of PCT International  
Application No. PCT/US2004/026162  
Exhibit B





Please address all communications, and direct all telephone calls, regarding this application to:

John P. White, Esq. Reg. No. 28,678  
Cooper & Dunham, LLP (Customer Number 23432)  
1185 Avenue of the Americas  
New York, New York 10036  
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or  
first joint inventor Stephen P. Goff  
Inventor's signature [Signature] Date of signature 8/4/06  
Citizenship United States of America  
Residence 66 Windsor Road, Tenafly, New Jersey 07670, United States of America  
Post Office Address see residence address

Full name of  
additional joint inventor(if any) Guangxia Gao  
Inventor's signature \_\_\_\_\_ Date of signature \_\_\_\_\_  
Citizenship China  
Residence Building 35, Apartment 1-201, Bei Wang Jia Yuan, Haidian District, Beijing, China  
Post Office Address see residence address

Please address all communications, and direct all telephone calls, regarding this application to:

John P. White, Esq. Reg. No. 28,678  
Cooper & Dunham, LLP (Customer Number 23432)  
1185 Avenue of the Americas  
New York, New York 10036  
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or my patent issued thereon.

Full name of sole or  
first joint inventor Stephen P. Goff  
Inventor's signature \_\_\_\_\_ Date of signature \_\_\_\_\_  
Citizenship United States of America  
Residence 66 Windsor Road, Tenafly, New Jersey 07670, United States of America  
Post Office Address see residence address

Full name of  
additional joint inventor(if any) ~~Guangxia Gao~~ Guangxia Gao GG Aug 9, 2006  
Inventor's signature Gao ← \_\_\_\_\_ Date of signature Aug. 9, 2006  
Citizenship China  
Residence Building 35, Apartment 1-201, Bai Wang Jia Yuan, Haidian District, Beijing, China  
Post Office Address see residence address